



Paper No. 24

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OFFICE OF PETITIONS

In re Reissue Application of
Rodney M. Shields
Application No. 09/267,025
Filed: March 11, 1999
For: IMAGE DISPLAY APPARATUS
WITH HOLES FOR OPPOSITE SIDE
VIEWING

:
: DECISION GRANTING PETITION
: TO INSTITUTE PUBLIC USE
: PROCEEDINGS
:
:
:

This is a decision on the petition to institute public use proceedings under 37 CFR 1.292 filed December 8, 1999.

The petition to institute public use proceedings under 37 CFR 1.292, filed by petitioner on December 8, 1999, against the claims of the above-identified application, has been considered along with the Examiner's Report.

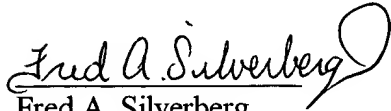
On August 8, 2002, a Notice was mailed advising applicant and the public use petitioner of the Examiner's conclusion that a prima facie showing had been made in the petition to institute public use proceedings. A preliminary hearing was also set for September 10, 2002.

In a telephone conference held on September 9, 2002, between applicant's attorney, Michael Kaufman, and Senior Legal Advisor Eugenia Jones, applicant waived the preliminary hearing.

The showing made in the petition is sufficient to justify the institution of public use proceedings. The application is accordingly referred to the examiner of Technology Center Art Unit 1772 who will set a schedule of times for taking testimony and conduct the proceedings. See MPEP 720.04 and 720.05. This should be done within ONE MONTH of the date of this decision. Prosecution in this application is otherwise suspended.

The petition to institute public use proceedings is granted.

Telephone inquiries specific to this decision should be directed to Senior Legal Advisor Eugenia Jones at (703) 306-5586.



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